

REMARKS

Claims 1-27 remain in the application. Claims 1, 12, 15 and 26 have been amended to define the security server system as being distinct from the merchant server system, as shown in the drawings. No new matter is added.

In the Action, all claims were rejected under 35 USC 103 (c) as being unpatentable over U.S. patent No. 5,903,652 (Mital) alone, or in combination with U.S. Patent No. 4,977,595 (Ohta). Issue is taken with those positions.

In the Examiner's response to the applicant's arguments filed previously, the Examiner acknowledges that Mital does not delineate between servers. The independent claims 1, 12, 15 and 26 now define the applicants' security server system as being distinct from the merchant server system. That distinction, obviates the outstanding §103 rejections. The objectives of the invention, as stated at paragraph 15 on page of the application, cannot be achieved under Mital. The applicant's first objective is that "buyers can make online purchases without disclosing their names, addresses or payment instruction information to the seller." Under Mital, the merchant obtains all of that information when it decrypts the encrypted transaction packet. See, Mital, column 5, lines 50-58 ("In the preferred embodiment, the merchant computer contains several component modules which not only decrypt the goods and services order portion but also the payment instruction portion of the encrypted transaction packet.") In other words, Mital does not enable a consumer to make a purchase without disclosing the consumer's name, address or payment information to the merchant. In the applicant's claims, the merchant cannot have access to the buyer's sensitive information.

The applicants' claimed invention avoids the necessity for buyers to go to third-party websites or to download software in order to make anonymous and secure purchases from the merchant. This is an important consideration, as pointed out in paragraph 06 of the application. Specifically, "Most buyers will be unwilling to take such extra effort, and will prefer a solution that will enable them to browse directly the merchant's website and to make private and secure purchases without the need to take any extra steps or precautions, and without notable latency."

In contrast, Mital requires the consumer computer to obtain the “component modules” as follows:

“The consumer computer in the secured transaction system is comprised of several component modules. In the preferred embodiment, the consumer computer contains a consumer application module, an order manager module, a secured technology module, and an electronic mail module. Typically, the component modules are loaded onto to the consumer computer by and (sic) end-user. In other embodiments, the component modules can be downloaded directly from the publicly accessible network.”

(Column 3, lines 55-62). With the claimed invention, the consumer does not have to download anything because the encryption does not occur on the consumer’s computer. Rather, the encryption occurs on the security server, which is distinct from the merchant server. The security server encrypts the buyer information and then passes it to the merchant server in encrypted form. Thus, the invention defined by all independent claims in the application establishes the separation of the transaction functions onto different servers which solve the stated problem in a new and unexpected way. Without the security server being distinct from the merchant server, the user (consumer) cannot avoid the necessity of encrypting the order and payment information on the consumer’s computer, which in turn requires the consumer to obtain special software for that purpose, which will defeat one important commercial purpose of the invention.

Thus, the use of a distinct security server also accomplishes the stated purpose of enabling buyers to make online purchases without disclosing their names, addresses, or payment information to the merchant. In Mital, the merchant decrypts the consumer’s order, including payment information, order information, and customer information. Consequently, the Mital does not provide for anonymous transactions from the perspective of the merchant. See Mital, column 8, lines 33-36. (“Upon receiving the secure purchase order message 102 from the electronic server’s commerce service 104, the merchant computer 108 decrypts the goods and services order.”)

There is no provision in Mital for the encryption of buyer information using an encryption

key that prevents the merchant server system from decrypting the buyer information, as claimed.

For these reasons, it is submitted that there now is no proper basis for the §103 rejections. Those rejections should be reconsidered and withdrawn. All claims 1-27 are believed to be in condition for allowance. Passage to issue is requested.

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If the Examiner believes there are any outstanding issues to be resolved with respect to the above-identified application, the Examiner is invited to telephone the undersigned at their earliest convenience so that such issues may be resolved telephonically.

Respectfully submitted,

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